



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

वीरवार, 30 नवम्बर, 2017/09 मार्गशीर्ष, 1939

हिमाचल प्रदेश सरकार

सूचना एवं जन-सम्पर्क विभाग

अधिसूचना

शिमला-2, 3 नवम्बर, 2017

संख्या: पब-ए 3(18)99.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, हिमाचल प्रदेश सूचना एवं जन-सम्पर्क विभाग में **तबला मास्टर, वर्ग-III** (अराजपत्रित) के पद के लिए इस अधिसूचना से संलग्न उपाबन्ध-“क” के अनुसार भर्ती और प्रोन्नति नियम बनाते हैं अर्थात्:-

1. **संक्षिप्त नाम और प्रारम्भ.**—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश सूचना एवं जन-सम्पर्क विभाग, तबला मास्टर, वर्ग—III (अराजपत्रित) भर्ती और प्रोन्नति नियम, 2017 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. **निरसन और व्यावृत्तियाँ.**—(1) इस विभाग की अधिसूचना संख्या: पब. ए.3(18)/99 तारीख 18-09-2008 द्वारा अधिसूचित समसंख्यक अधिसूचना तारीख 24-9-2008 के राजपत्र, हिमाचल प्रदेश में यथाप्रकाशित हिमाचल प्रदेश लोक सम्पर्क विभाग, तबला मास्टर, वर्ग—III, अराजपत्रित) भर्ती और प्रोन्नति नियम, 2008 का एतद्वारा निरसन किया जाता है।

(2) ऐसे निरसन के होते हुए भी उपर्युक्त उप-नियम 2(1) के अधीन इस प्रकार निरसित नियमों के अधीन की गई कोई नियुक्ति, बात या कार्यवाई इन नियमों के अधीन विधिमान्य रूप में की गई समझी जाएगी।

आदेश द्वारा,
हस्ताक्षरित/—
मुख्य सचिव (सूचना एवं जन सम्पर्क)।

उपाबन्ध—“क”

सूचना एवं जन सम्पर्क विभाग, हिमाचल प्रदेश में तबला मास्टर, वर्ग—III (अराजपत्रित) के पद के लिए भर्ती और प्रोन्नति नियम

1. **पद का नाम.**—तबला मास्टर
2. **पद (पदों) की संख्या.**—4 (चार)
3. **वर्गीकरण.**—वर्ग—III (अराजपत्रित)
4. **वेतनमान.**—(i) नियमित पदधारी (पदधारियों) के लिए वेतनमान:— ₹ 5910—20200 + ₹ 1900 ग्रेड पे।

(ii) संविदा पर नियुक्त कर्मचारी (कर्मचारियों) के लिए उपलब्धियाँ :—स्तम्भ संख्या 15—क में दिए गए ब्यौरे के अनुसार 7,810/— प्रतिमास।

5. **चयन पद अथवा अचयन पद.**—अचयन

6. **सीधी भर्ती के लिए आयु.**— 18 से 45 वर्ष

परन्तु सीधे भर्ती किए जाने वाले व्यक्तियों के लिए ऊपरी आयु सीमा तदर्थ या संविदा के आधार पर नियुक्त किए गए व्यक्तियों सहित पहले से ही सरकारी सेवा में रत अभ्यर्थियों को लागू नहीं होगी :

परन्तु यह और कि यदि तदर्थ या संविदा के आधार पर नियुक्त किया गया अभ्यर्थी इस रूप में नियुक्ति की तारीख को अधिक आयु का हो गया हो तो वह उसकी ऐसी तदर्थ या संविदा पर की गई नियुक्ति के कारण विहित आयु में शिथिलीकरण का पात्र नहीं होगा :

परन्तु यह और कि ऊपरी आयु सीमा में अनुसूचित जातियों/अनुसूचित जनजातियों/अन्य पिछड़ा वर्गों और व्यक्तियों के अन्य प्रवर्गों के लिए, उस विस्तार तक शिथिलीकरण किया जाएगा जितनी की हिमाचल प्रदेश सरकार के साधारण या विशेष आदेश (आदेशों) के अधीन अनुज्ञेय है :

परन्तु यह और भी कि समस्त पब्लिक सेक्टर निगमों तथा स्वायत्त निकायों के सभी कर्मचारियों को, जो ऐसे पब्लिक सेक्टर निगमों/स्वायत्त निकायों के प्रारम्भिक गठन के समय ऐसे पब्लिक सेक्टर निगमों/स्वायत्त निकायों में आमेलन से पूर्व सरकारी कर्मचारी थे, सीधी भर्ती के लिए आयु सीमा में ऐसी ही रियायत अनुज्ञात की जाएगी जैसी सरकारी कर्मचारियों को अनुज्ञेय है, ऐसी रियायत तथापि, पब्लिक सेक्टर निगमों/स्वायत्त निकायों के ऐसे कर्मचारिवृन्द को अनुज्ञेय नहीं होगी जो तत्पश्चात् ऐसे निगमों/स्वायत्त निकायों द्वारा नियुक्त किए गये थे/किए गए हैं और उन पब्लिक सेक्टर निगमों/स्वायत्त निकायों के प्रारम्भिक गठन के पश्चात् ऐसे निगमों/स्वायत्त निकायों की सेवा में अन्तिम रूप से आमेलित किए गए हैं/किए गए थे ।

टिप्पण.—सीधी भर्ती के लिए आयु सीमा की गणना, उस वर्ष के प्रथम दिवस से की जाएगी जिसमें कि पद (पदों) को आवेदन आमंत्रित करने के लिए, यथास्थिति, विज्ञापित किया गया है, या नियोजनालयों को अधिसूचित किया गया है ।

7. सीधे भर्ती किए जाने वाले व्यक्ति (व्यक्तियों) के लिए अपेक्षित न्यूनतम शैक्षिक और अन्य अर्हताएं.—(क) *अनिवार्य अर्हताएं* :— (i) किसी मान्यता प्राप्त विश्वविद्यालय या बोर्ड से मैट्रिक या इसके समतुल्य ।

(ii) हिमाचल प्रदेश/केन्द्रीय सरकार द्वारा सम्यक रूप से मान्यता प्राप्त संस्थान से वाद्य संगीत (तबला/ढोलक) में डिप्लोमा/सर्टीफिकेट कोर्स ।

(ख) *वांछनीय अर्हताएं* :—हिमाचल प्रदेश की रुढ़ियों, रीतियों और बोलियों का ज्ञान और प्रदेश में विद्यमान विशिष्ट दशाओं में नियुक्ति के लिए उपयुक्तता ।

8. सीधे भर्ती किए जाने वाले व्यक्ति (व्यक्तियों) के लिए विहित आयु और शैक्षिक अर्हताएं प्रोन्नत व्यक्ति (व्यक्तियों) की दशा में लागू होंगी या नहीं.—*आयु* :— लागू नहीं ।

शैक्षिक अर्हता :— लागू नहीं ।

9. परिवीक्षा की अवधि, यदि कोई हो.—*सीधी भर्ती की दशा में* :—(क) दो वर्ष, जिसका एक वर्ष से अनधिक ऐसी और अवधि के लिए विस्तार किया जा सकेगा जैसा सक्षम प्राधिकारी विशेष परिस्थितियों में और कारणों को लिखित में अभिलिखित करके आदेश दे ।

(ख) संविदा के आधार पर, सेवाधृति के आधार पर नियुक्ति पर, अधिवर्षिता के पश्चात् पुनर्नियोजन और आमेलन पर कोई परिवीक्षा नहीं होगी ।

10. भर्ती की प्रवृत्ति: भर्ती सीधी होगी या प्रोन्नति/सैकण्डमैंट/स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरे जाने वाले पद (पदों) की प्रतिशतता.—शतप्रतिशत सीधी भर्ती द्वारा, यथास्थिति, नियमित आधार पर या संविदा के आधार पर भर्ती द्वारा, ऐसा न होने पर सैकण्डमैंट आधार पर ।

11. प्रोन्नति/सैकण्डमैंट/स्थानान्तरण द्वारा भर्ती की दशा में वे श्रेणियां (ग्रेड) जिनसे प्रोन्नति/सैकण्डमैंट/स्थानान्तरण किया जाएगा.—हिमाचल प्रदेश सरकार के विभागों/केन्द्रीय सरकार के विभागों में इस पद के समरूप वेतनमान में कार्यरत पदधारियों में से सैकण्डमैंट आधार पर ।

12. यदि विभागीय प्रोन्नति समिति विद्यमान हो, तो उसकी संरचना.—लागू नहीं ।

13. भर्ती करने में जिन परिस्थितियों में हिमाचल प्रदेश, लोक सेवा आयोग से परामर्श किया जाएगा.—जैसा विधि द्वारा अपेक्षित हो ।

14. सीधी भर्ती के लिए अनिवार्य अपेक्षा.—किसी सेवा या पद पर नियुक्ति के लिए अभ्यर्थी का भारत का नागरिक होना आवश्यक है।

15. सीधी भर्ती द्वारा पद पर नियुक्ति के लिए चयन.—सीधी भर्ती के मामले में पद पर नियुक्ति के लिए चयन, इन नियमों से संलग्न परिशिष्ट—I में यथा विनिर्दिष्ट के अनुसार मूल्यांकन के पश्चात् लिखित परीक्षा के गुणागुण के आधार पर किया जाएगा या यदि, यथास्थिति, हिमाचल प्रदेश लोक सेवा आयोग या अन्य भर्ती अभिकरण/प्राधिकरण ऐसा करना आवश्यक या समीचीन समझे तो पूर्व में ली गई छंटनी परीक्षा (वस्तुनिष्ठ प्रकार की) या व्यावहारिक परीक्षण या दक्षता परीक्षण या शारीरिक परीक्षण के अनुसार इन नियमों से संलग्न परिशिष्ट—I में यथा विनिर्दिष्ट के अनुसार मूल्यांकन के पश्चात् लिखित परीक्षा के गुणागुण के आधार पर किया जाएगा, जिसका स्तर/पाठ्यक्रम आदि, यथास्थिति, हिमाचल प्रदेश लोक सेवा आयोग/अन्य भर्ती अभिकरण/प्राधिकरण द्वारा अवधारित किया जाएगा।

15-क. संविदा नियुक्ति द्वारा पद पर नियुक्ति के लिये चयन.—इन नियमों में किसी बात के होते हुए भी पद पर संविदात्मक नियुक्तियां नीचे दिए गए निबन्धनों और शर्तों के अध्वधीन की जाएंगी.—

(I) संकल्पना :—(क) इस पॉलिसी के अधीन हिमाचल प्रदेश सूचना एवं जन सम्पर्क विभाग हिमाचल प्रदेश में तबला मास्टर को संविदा के आधार पर प्रारम्भ में एक वर्ष के लिए लगाया जाएगा जिसे वर्षानुवर्ष के आधार पर आगे बढ़ाया जा सकेगा :

परन्तु संविदा अवधि में वर्षानुवर्ष आधार पर विस्तारण/नवीकरण के लिए सम्बद्ध विभागाध्यक्ष यह प्रमाण पत्र जारी करेगा कि संविदा पर नियुक्त व्यक्ति की सेवा और आचरण वर्ष के दौरान संतोषजनक रहा है और केवल तभी उसकी संविदा की अवधि को नवीकृत/विस्तारित की जाएगी।

(ख) पद का हिमाचल प्रदेश कर्मचारी प्रदेश कर्मचारी चयन आयोग के कार्यक्षेत्र में आना:—निदेशक, सूचना एवं जन सम्पर्क विभाग, हिमाचल प्रदेश, रिक्त पदों को संविदा के आधार पर भरने के लिए सरकार का अनुमोदन प्राप्त करने के पश्चात्, अध्यपेक्षा को सम्बद्ध भर्ती अभिकरण अर्थात् हिमाचल प्रदेश कर्मचारी चयन आयोग, हमीरपुर के समक्ष रखेगा।

(ग) चयन इन नियमों में विहित पात्रता शर्तों के अनुसार किया जाएगा।

(II) संविदात्मक उपलब्धियां :—संविदा के आधार पर नियुक्त तबला मास्टर को 7,810/— रुपये की दर से समेकित नियत संविदात्मक रकम (जो पे बैण्ड के न्यूनतम जमा ग्रेड पे के बराबर होगी) प्रतिमास संदत्त की जाएगी। यदि संविदा में एक वर्ष से अधिक की बढ़ौतरी की जाती है, तो पश्चात्वर्ती वर्ष/वर्षों के लिए संविदात्मक उपलब्धियों में 234/— रुपए की रकम (पद के पे बैण्ड का न्यूनतम जमा ग्रेड पे का तीन प्रतिशत) वार्षिक वृद्धि के रूप में अनुज्ञात की जाएगी।

(III) नियुक्ति/अनुशासन प्राधिकारी:—निदेशक, सूचना एवं जन सम्पर्क विभाग हिमाचल प्रदेश नियुक्ति और अनुशासन प्राधिकारी होगा।

(IV) चयन प्रक्रिया:—संविदा नियुक्ति के मामले में पद पर नियुक्ति के लिए चयन, इन नियमों से संलग्न परिशिष्ट—I में यथा विनिर्दिष्ट के अनुसार मूल्यांकन के पश्चात् लिखित परीक्षा के गुणागुण के आधार पर किया जाएगा या यदि, ऐसा करना आवश्यक या समीचीन समझा जाए तो, पूर्व में ली गई छंटनी परीक्षा (वस्तुनिष्ठ प्रकार की) या व्यावहारिक परीक्षण या दक्षता परीक्षण या शारीरिक परीक्षण के अनुसार इन नियमों से संलग्न परिशिष्ट—I में यथाविनिर्दिष्ट के अनुसार मूल्यांकन के पश्चात् लिखित परीक्षा के गुणागुण के आधार पर किया जाएगा, जिसका स्तर/पाठ्यक्रम आदि, सम्बद्ध भर्ती अभिकरण अर्थात् हिमाचल प्रदेश कर्मचारी चयन आयोग द्वारा अवधारित किया जाएगा।

(V) संविदात्मक नियुक्तियों के लिए चयन समिति:—जैसी सम्बद्ध भर्ती अभिकरण अर्थात् हिमाचल प्रदेश कर्मचारी चयन आयोग, हमीरपुर द्वारा समय-समय पर गठित की जाए।

(VI) करार :- अभ्यर्थी को चयन के पश्चात् इन नियमों से संलग्न उपाबन्ध—“ख” के अनुसार करार हस्ताक्षरित करना होगा।

(VII) निबन्धन और शर्तें:—(क) संविदा पर नियुक्त तबला मास्टर को 7,810/—रुपए की दर से नियत संविदात्मक रकम (जो पे बैंड के न्यूनतम जमा ग्रेड पे के बराबर होगी) प्रतिमास संदत्त की जाएगी। संविदा पर नियुक्त व्यक्ति आगे बढ़ाए गए वर्षों के लिए संविदात्मक रकम में 234/—रुपए (पे बैंड के न्यूनतम जमा ग्रेड पे का तीन प्रतिशत) की दर से वार्षिक वृद्धि का हकदार होगा और अन्य कोई सहबद्ध प्रसुविधाएं जैसे कि वरिष्ठ/चयन वेतनमान आदि नहीं दिया जाएगा।

(ख) संविदा पर नियुक्त व्यक्ति की सेवा पूर्णतया अस्थायी आधार पर होगी। यदि संविदा पर नियुक्त व्यक्ति का कार्य/आचरण ठीक नहीं पाया जाता है तो नियुक्ति पर्यवसित (समाप्त) किए जाने के लिए दायी होगी।

(ग) संविदा पर नियुक्त व्यक्ति एक कलैण्डर वर्ष में एक मास की सेवा पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश, दस दिन के चिकित्सा अवकाश और पांच दिन के विशेष अवकाश का हकदार होगा/होगी। संविदा पर नियुक्त महिला कर्मचारी के दो जीवित बच्चों तक एक सौ पैंतीस दिन का प्रसूति अवकाश दिया जा सकेगा। संविदा पर नियुक्त महिला कर्मचारी पूरी सेवा के दौरान, गर्भपात हो जाने सहित गर्भपात कराने की दशा में, प्राधिकृत चिकित्सा अधिकारी द्वारा जारी प्रमाण पत्र प्रस्तुत करने पर पैंतालीस दिन से अनधिक प्रसूति अवकाश (जीवित बच्चों की संख्या का विचार किए बिना) के लिए भी हकदार होगी। वह चिकित्सा प्रतिपूर्ति और एल0टी0सी0 आदि के लिए हकदार नहीं होगा/होगी। संविदा पर नियुक्त व्यक्ति को उपरोक्त के सिवाय किसी अन्य प्रकार का कोई अवकाश अनुज्ञात नहीं होगा।

अनुपभुक्त आकस्मिक अवकाश, चिकित्सा अवकाश और विशेष अवकाश एक कलैण्डर वर्ष तक संचित किया जा सकेगा और आगामी कलैण्डर वर्ष के लिए अग्रणीत नहीं किया जाएगा।

(घ) नियन्त्रण अधिकारी के अनुमोदन के बिना कर्त्तव्य (ड्यूटी) से अनधिकृत अनुपस्थिति से स्वतः ही संविदा का पर्यवसान (समापन) हो जाएगा। तथापि आपवादिक मामलों में जहां पर चिकित्सा आधार पर कर्त्तव्य से अनधिकृत अनुपस्थिति के हालात संविदा पर नियुक्त व्यक्ति के नियन्त्रण से बाहर हों तो उसके नियमितीकरण के मामले में विचार करते समय ऐसी अवधि अपवर्जित नहीं की जाएगी, किन्तु पदधारी को इस बाबत समय पर नियन्त्रक प्राधिकारी को सूचित करना होगा। तथापि संविदा पर नियुक्त व्यक्ति कर्त्तव्य से अनुपस्थिति की ऐसी अवधि के लिए संविदात्मक रकम का हकदार नहीं होगा:

परन्तु उसे सरकार के प्रचलित अनुदेशों के अनुसार, चिकित्सा अधिकारी द्वारा जारी किए गए बीमारी/आरोग्य प्रमाण-पत्र को प्रस्तुत करना होगा।

(ङ) संविदा के आधार पर नियुक्त पदधारी जिसने तैनाती के एक स्थान पर तीन वर्ष का कार्यकाल पूर्ण कर लिया हो। आवश्यकता के आधार पर स्थानान्तरण हेतु पात्र होगा, जहां भी प्रशासनिक आधार पर ऐसा करना अपेक्षित हो।

(च) चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्य प्रमाण-पत्र प्रस्तुत करना होगा। बारह सप्ताह से अधिक की गर्भवती महिला अभ्यर्थी प्रसव होने तक अस्थायी तौर पर अनुपयुक्त बनी रहेगी ऐसी महिला अभ्यर्थी का किसी प्राधिकृत चिकित्सा अधिकारी/व्यवसायी द्वारा उपयुक्तता के लिए पुनः परीक्षण करवाया जाएगा।

(छ) संविदा पर नियुक्त व्यक्ति का, यदि अपने पदीय कर्त्तव्यों के सम्बन्ध में दौरे पर जाना अपेक्षित हो, तो वह उसी दर पर, जैसी कि नियमित प्रतिस्थानी पदधारी को वेतनमान के न्यूनतम पर लागू है, यात्रा भत्ते/दैनिक भत्ते का हकदार होगा।

(ज) नियमित कर्मचारियों की दशा में यथा लागू सेवा नियमों जैसे एफ0आर0-एस0आर0, छुट्टी नियम, साधारण निधि नियम, पेंशन नियम तथा आचरण नियम आदि के उपबन्ध संविदा पर नियुक्त व्यक्तियों की दशा में लागू नहीं होंगे। संविदा पर नियुक्त व्यक्तियों को कर्मचारी सामूहिक बीमा स्कीम के साथ-साथ इपी.एफ/जी.पी.एफ भी लागू नहीं होगा।

16. आरक्षण.—सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा, समय-समय पर अनुसूचित जातियों/अनुसूचित जन जातियों/अन्य पिछड़े वर्गों और व्यक्तियों के अन्य प्रवर्ग के लिए सेवा में आरक्षण की बाबत जारी किए गए आदेशों के अधीन होगी।

17. विभागीय परीक्षा.—लागू नहीं।

18. शिथिल करने की शक्ति.—जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक या समीचीन है, वहां वह, कारणों को लिखित में अभिलिखित करके और हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, आदेश द्वारा, इन नियमों के किसी/किन्हीं उपबन्ध (उपबन्धों) को किसी वर्ग या व्यक्ति (व्यक्तियों) के प्रवर्ग या पद (पदों) की बाबत, शिथिल कर सकेगी।

परिशिष्ट-I

वर्ग-III के पदों के लिए

| | | |
|----|---|--------|
| 1. | लिखित परीक्षा {लिखित परीक्षा में प्राप्तांकों की प्रतिशतता 85 अंकों में से परिकलित की जानी है। उदाहरणार्थ, लिखित परीक्षा में 50 प्रतिशत अंक प्राप्त करने वाले अभ्यर्थी को 42.5 अंक दिए जाएंगे}। | 85 अंक |
| 2. | अभ्यर्थी का मूल्यांकन निम्नलिखित रीति में किया जाना है :- (i) भर्ती और प्रान्ति नियमों में विहित न्यूनतम शैक्षिक अर्हता हेतु वरीयता। <div style="text-align: right;">=2.5 अंक</div> {शैक्षिक अर्हता में प्राप्तांकों की प्रतिशतता 0.025 से गुणा की जाएगी। उदाहरणार्थ, किसी व्यक्ति ने अपेक्षित शैक्षिक अर्हता में 50 प्रतिशत अंक प्राप्त किए हैं, जो उसे 1.25 अंक [(50 x 0.025=1.25), अनुज्ञात किए जाएंगे}। (ii) यथास्थिति, अधिसूचित पिछड़े क्षेत्र या पंचायत से सम्बन्धित। <div style="text-align: right;">=01 अंक</div> (iii) भूमिहीन कुटुम्ब/एक हेक्टेयर से कम भूमि वाले कुटुम्ब को सम्बद्ध राजस्व प्राधिकारी द्वारा प्रमाणित किया जाएगा। <div style="text-align: right;">=01 अंक</div> (iv) इस प्रभाव का गैर-नियोजन प्रमाण-पत्र कि कुटुम्ब का कोई भी सदस्य सरकारी/अर्ध सरकारी सेवा में नहीं है। <div style="text-align: right;">=01 अंक</div> (v) 40 प्रतिशत विकृति/निःशक्तता/दुर्बलता से अधिक वाले दिव्यांगजन। <div style="text-align: right;">= 01 अंक</div> | 15 अंक |

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| (vi) एन.एस.एस.(कम से कम एक वर्ष) एन.सी.सी. में प्रमाण-पत्र धारक/भारत स्काउट और गाइड/राष्ट्रीय स्तर की खेल स्पर्धाओं में पदक विजेता। | =01 अंक |
| (vii) सरकार द्वारा समय-समय पर यथाविहित 40,000 रूपए से कम (समस्त स्रोतों से) वार्षिक आय वाला बी0पी0एल0 कुटुम्ब। | =02 अंक |
| (viii) विधवा/तलाक शुदा/ अकिंचन/एकल महिला। | =01 अंक |
| (ix) इकलौती पुत्री/अनाथ | =01 अंक |
| (x) किसी मान्यता प्राप्त विश्वविद्यालय/संस्था से आवेदित पद से सम्बन्धित कम से कम छह मास की अवधि का प्रशिक्षण। | =01अंक |
| (xi) सरकारी/अर्धसरकारी संगठन में, आवेदित पद से सम्बन्धित अधिकतम पांच वर्ष तक का अनुभव (प्रत्येक पूर्ण किए गए वर्ष के लिए 0.5 अंक) | =2.5 अंक |

उपाबन्ध—“ख”

तबला मास्टर और हिमाचल प्रदेश सरकार के मध्य निदेशक, सूचना एवं जन सम्पर्क विभाग, हिमाचल प्रदेश के माध्यम से निष्पादित की जाने वाली संविदा/करार का प्ररूप

यह करार श्री/श्रीमतिपुत्र/पुत्री श्रीनिवासी.....
.....संविदा पर नियुक्त व्यक्ति (जिसे इसमें इसके पश्चात् प्रथम पक्षकार कहा गया है) और हिमाचल प्रदेश के राज्यपाल के मध्य निदेशक, सूचना एवं जन सम्पर्क विभाग, हिमाचल प्रदेश (जिसे इसमें इसके पश्चात् द्वितीय पक्षकार कहा गया है) के माध्यम से आज तारीख.....को किया गया।

द्वितीय पक्षकार ने उपरोक्त प्रथम पक्षकार को लगाया है और प्रथम पक्षकार तबला मास्टर के रूप में संविदा के आधार पर निम्नलिखित निबन्धन और शर्तों पर सेवा करने के लिए सहमति दी है:—

- यह कि प्रथम पक्षकार तबला मास्टर के रूप मेंसे प्रारम्भ होने और.....को समाप्त होने वाले दिन तक एक वर्ष की अवधि के लिए द्वितीय पक्षकार की सेवा में रहेगा। यह विनिर्दिष्ट रूप से उल्लिखित किया गया है और दोनों पक्षकारों द्वारा करार पाया गया है कि प्रथम पक्षकार की द्वितीय पक्षकार के साथ संविदा, आखिरी कार्य दिवस् अर्थात् को स्वयंमेव ही पर्यवसित (समाप्त) हो जाएगी तथा सूचना नोटिस आवश्यक नहीं होगा:

परन्तु संविदा अवधि में वर्षानुवर्ष आधार पर विस्तारण/नवीकरण के लिए सम्बद्ध विभागाध्यक्ष यह प्रमाण-पत्र जारी करेगा कि संविदा पर नियुक्त व्यक्ति की सेवा और आचरण वर्ष के दौरान संतोषजनक रहा है और केवल तभी उसकी संविदा की अवधि नवीकृत/विस्तारित की जाएगी।

- प्रथम पक्षकार की संविदात्मक रकम 7810/— रूपए प्रतिमास।

3. प्रथम पक्षकार की सेवा पूर्णतया अस्थायी आधार पर होगी। यदि संविदा पर नियुक्त व्यक्ति का कार्य/आचरण ठीक नहीं पाया जाता है तो नियुक्ति पर्यवसित (समाप्त) की जाने के लिए दायी होगी।
4. संविदा पर नियुक्त व्यक्ति एक कलैण्डर वर्ष में एक मास की सेवा पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश, दस दिन के चिकित्सा अवकाश और पांच दिन के विशेष अवकाश का हकदार होगा/होगी। संविदा पर नियुक्त महिला को दो जीवित बच्चों तक एक सौ पैंतीस दिन का प्रसूति अवकाश दिया जा सकेगा। संविदा पर नियुक्त महिला कर्मचारी पूरी सेवा के दौरान, गर्भपात हो जाने सहित गर्भपात कराने की दशा में, प्राधिकृत चिकित्सा अधिकारी द्वारा जारी प्रमाण पत्र प्रस्तुत करने पर पैंतालीस दिन से अनधिक प्रसूति अवकाश (जीवित बच्चों की संख्या का विचार किए बिना) के लिए भी हकदार होगी। संविदा पर नियुक्त कर्मचारी चिकित्सा प्रतिपूर्ति और एल0टी0सी0 आदि के लिए हकदार नहीं होगा/होगी। संविदा पर नियुक्त व्यक्ति को उपरोक्त के सिवाय अन्य किसी प्रकार का कोई अवकाश अनुज्ञात नहीं होगा। अनुपभुक्त आकस्मिक अवकाश, चिकित्सा अवकाश और विशेष अवकाश एक कलैण्डर वर्ष तक संचित किया जा सकेगा और आगामी कलैण्डर वर्ष के लिए अग्रनीत नहीं किया जाएगा।
5. नियन्त्रक प्राधिकारी के अनुमोदन के बिना कर्त्तव्य (ड्यूटी) से अनधिकृत अनुपस्थिति से स्वतः ही संविदा का पर्यवसान (समापन) हो जाएगा। तथापि आपवादिक मामलों में जहां पर चिकित्सा आधार पर कर्त्तव्य से अनधिकृत अनुपस्थिति के हालात संविदा पर नियुक्त व्यक्ति के नियन्त्रण से बाहर हों तो उसके नियमितीकरण के मामले में विचार करते समय ऐसी अवधि अपवर्जित नहीं की जाएगी, किन्तु पदधारी को इस बाबत समय पर नियन्त्रक प्राधिकारी को सूचित करना होगा। तथापि संविदा पर नियुक्त व्यक्ति कर्त्तव्य से अनुपस्थिति की ऐसी अवधि के लिए संविदात्मक रकम का हकदार नहीं होगा:

परन्तु उसे सरकार के प्रचलित अनुदेशों के अनुसार, चिकित्सा अधिकारी द्वारा जारी किए गए बीमारी/आरोग्य प्रमाण-पत्र को प्रस्तुत करना होगा।
6. संविदा के आधार पर नियुक्त व्यक्ति जिसने तैनाती के स्थान पर तीन वर्ष का कार्यकाल पूर्ण कर लिया हो, आवश्यकता के आधार पर स्थानान्तरण हेतु पात्र होगा/होगी, जहां भी प्रशासनिक आधार पर ऐसा करना अपेक्षित हो।
7. चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्य प्रमाण-पत्र प्रस्तुत करना होगा। महिला अभ्यर्थियों की दशा में, बारह सप्ताह से अधिक की गर्भावस्था प्रसव होने तक, उसे अस्थायी तौर पर अनुपयुक्त बना देगी। ऐसी महिला अभ्यर्थी का किसी प्राधिकृत चिकित्सा अधिकारी/व्यवसायी से उपयुक्तता के लिए पुनः परीक्षण करवाया जाना चाहिए।
8. संविदा पर नियुक्त व्यक्ति का यदि अपने पदीय कर्त्तव्यों के सम्बन्ध में दौरे पर जाना अपेक्षित हो, तो वह उसी दर पर, जैसी कि नियमित प्रतिस्थानी पदधारी को पद के वेतनमान के न्यूनतम पर लागू है, यात्रा भत्ते/दैनिक भत्ते का हकदार होगा/होगी।
9. संविदा पर नियुक्त व्यक्ति (व्यक्तियों) को कर्मचारी सामूहिक बीमा स्कीम के साथ-साथ ई0पी0एफ/जी0पी0एफ0 भी लागू नहीं होगा।

इसके साक्ष्यस्वरूप प्रथम पक्षकार और द्वितीय पक्षकार के साक्षियों की उपस्थिति में इसमें सर्वप्रथम उल्लिखित तारीख को अपने-अपने हस्ताक्षर कर दिए हैं।

साक्षियों की उपस्थिति में

1. _____

(नाम व पूरा पता)

2. -----

(नाम व पूरा पता)

(प्रथम पक्षकार के हस्ताक्षर)

साक्षियों की उपस्थिति में

1. -----

(नाम व पूरा पता)

2. -----

(नाम व पूरा पता)

(द्वितीय पक्षकार के हस्ताक्षर)

[Authoritative English Text of this Department Notification No. Puba. 3(18)99, Dated 3-11-2017 as required under article 348(3) of the Constitution of India].

INFORMATION & PUBLIC RELATIONS DEPARTMENT

NOTIFICATION

Shimla-2, the 3rd November, 2017

No. Pub-A. 3(18)99.—In exercise of the powers conferred by proviso to article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the Recruitment and Promotion Rules for the post of **Tabla Master Class-III** (Non-Gazetted) in the Information and Public Relations Department, Himachal Pradesh as per Annexure- "A" attached to this notification, namely:—

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh, Information & Public Relations Department, Tabla Master, Class-III (Non-Gazetted), Recruitment & Promotion Rules, 2017.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2. Repeal and saving:—(1) The Himachal Pradesh Department of Information & Public Relations, Tabla Master, (Class-III Non-Gazetted) Recruitment and Promotion Rules, 2008, notified *vide* this Department Notification No. Pub.A-3(18)/99, dated 18-09-2008 as published *vide* Notification of even No. dated 24-09-2008 in the Rajpatra, Himachal Pradesh are hereby repealed.

(2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules so repealed under sub rule 2(1) supra, shall be deemed to have been validly made, or done or taken under these rules.

By order,
Sd/-
Chief Secretary (I&PR).

**RECRUITMENT AND PROMOTION RULE FOR THE POST OF TABLA MASTER
CLASS-III (NON-GAZETTED) IN THE DEPARTMENT OF INFORMATION AND
PUBLIC RELATIONS, H.P.**

1. **Name of the Post.**—Tabla Master
2. **Number of Post(s).**—4 (Four)
3. **Classification.**—Class-III(Non-Gazetted)
4. **Scale of Pay.**—(i) *Pay Scale for regular incumbent(s):*— 5910-20200+1900 Grade Pay.
(ii) *Emoluments for contract employee(s):*— 7810/- P.M. as per details given in Column 15-A.
5. **Whether “Selection” Post or “Non-Selection” Post.**— Non-Selection
6. **Age for direct recruitment.**—Between 18 and 45 years

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Government including those who have been appointed on adhoc or on contract basis :

Provided further that if a candidate appointed on adhoc basis or on contract basis had become over-age on the date he/she was appointed as such, he/she shall not be eligible for any relaxation in the prescribed age limit by virtue of his/her such adhoc or contract appointment :

Provided further that upper age limit is relaxable for Scheduled Castes/Scheduled Tribes/Other Backward classes/Other categories of persons to the extent permissible under the general or special order(s) of the Himachal Pradesh Government :

Provided further that the employees of all the Public Sector Corporations and Autonomous Bodies who happened to be Government Servants before absorption in Public Sector Corporations/Autonomous Bodies at the time of initial constitution of such Corporations/Autonomous Bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the Public Sector Corporations/Autonomous Bodies who were/are subsequently appointed by such Corporations/Autonomous Bodies and who are/were finally absorbed in the service of such Corporations/Autonomous Bodies after initial constitution of the Public Sector Corporations/Autonomous Bodies.

Note:—Age limit for direct recruitment will be reckoned on the first day of the year in which the post (S) is/are advertised for inviting applications or notified to the Employment Exchanges, as the case may be.

7. Minimum Educational and other qualifications required for direct recruit(s).—
(a) *Essential Qualification(s):*— (i) Matric or its equivalent from a recognized University or Board.

(ii) Diploma/Certificate course in Music instrument (Tabla/Dholak) from an Institution duly recognized by the H.P./ Central Government.

(b) *Desirable Qualifications:*—Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

8. Whether age and educational qualification(s) prescribed for direct recruit (s) will apply in the case of the promotee(s).—Age:— Not applicable.

Educational Qualification:— Not applicable

9. Period of probation, if any.—Direct Recruitment:—(a) Two years, subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.

(b) No probation in case of appointment on contract basis, tenure basis, re-employment after superannuation and absorption.

10. Method (s) of recruitment, whether by direct recruitment or by promotion/secondment/ transfer and the percentage of posts(s) to be filled in by various methods.—100% by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be failing which on secondment basis.

11. In case of recruitment by promotion/secondment/transfer, grade(s) from which promotion/secondment/transfer is to be made.—On secondment basis from amongst the incumbents of this post working in the identical pay scale in the H.P. Government Departments/ Central Government Departments.

12. If a Departmental Promotion Committee exists, what is its composition.—Not applicable.

13. Circumstances under which the Himachal Pradesh Public Service Commission (HPPSC). is to be consulted in making recruitment.—As required under the law.

14. Essential requirement for a direct recruitment.—A candidate for appointment to any service or post must be a citizen of India.

15. Selection for appointment to the post by direct recruitment.—Selection for appointment to the post in the case of direct recruitment shall be made on the basis of merit of written examination followed by evaluation as specified in Appendix-I appended to these rules, or if the Himachal Pradesh Public Service Commission or other recruiting agency/authority, as the case may be, so considers necessary or expedient on the basis of merit of written examination followed by evaluation as specified in Appendix-I appended to these Rules, preceded by a screening test (objective type) or practical test or skill test or physical test, the standard/syllabus, etc. of which, will be determined by the Himachal Pradesh Public Service Commission/other recruiting agency/authority, as the case may be.

15.A. Selection for appointment to the post by contract appointment.—Notwithstanding anything contained in these rules, contract appointments to the post will be made subject to the terms and conditions given below:—

(I) Concept :—(a) Under this policy the Tabla Master in the Department of Information & Public Relations H.P. will be engaged on contract basis initially for one year, which may be extendable on year-to-year basis:

Provided that for extension /renewal of contract period on year to year basis, the concerned Head of Department (HOD) shall issue a certificate that the service and conduct of the contract appointee is satisfactory during the year and only then his period of contract is to be renewed/extended.

(b) POST FALLS WITHIN THE PURVIEW OF HPSSC:—The Director, Information & Public Relations, H.P. after obtaining approval of the Government to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. the Himachal Pradesh Staff Selection Commission, Hamirpur.

(c) The selection will be made in accordance with the eligibility conditions prescribed in these rules.

(II) Contractual Emoluments:—The Tabla Master appointed on contract basis will be paid consolidated fixed contractual amount @ Rs 7,810/- per month (which shall be equal to minimum of the pay band+ Grade pay). An amount @ Rs. 234/- (3% of the minimum of pay band+ Grade pay of the post) as annual increase in the contractual emoluments for the subsequent year(s) will be allowed, if contract is extended beyond one year.

(III) Appointing /Disciplinary Authority:—The Director, Information & Public Relations, H.P. will be the appointing and disciplinary authority.

(IV) Selection Process:—Selection for appointment to the post in the case of contract appointment shall be made on the basis of merit of written examination followed by evaluation as specified in Appendix-I appended to these rules, or if considered necessary or expedient on the basis of merit of written examination followed by evaluation as specified in Appendix-I appended to these rules, preceded by a screening test (objective type) or practical test or skill test or physical test, the standard/syllabus, etc. of which, will be determined by the concerned recruiting agency i.e H.P. Staff Selection Commission, Hamirpur.

(V) Committee for Selection of contractual appointments:—As may be constituted by the concerned recruiting agency the Himachal Pradesh Staff Selection Commission, Hamirpur from time to time.

(VI) Agreement:—After selection of a candidate, he/she shall sign an agreement as per Annexure-“B” appended to these rules.

(VII) Terms & Conditions:—(a) The Contract appointee will be paid fixed contractual amount @ Rs. 7,810/- per month (which shall be equal to minimum of pay band + Grade pay). The contract appointee will be entitled for increase in contractual amount @ Rs. 234/- (3% of the minimum of pay band+ Grade pay of the post) for further extended years and no other allied benefits such as senior/selection scales etc. will be given.

(b) The service of the contract appointee will be purely on temporary basis. The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found satisfactory.

(c) The contract appointee will be entitled for one day's casual leave after putting one month's service, 10 days' medical leave and 5 days' special leave, in a calendar year. A female contract appointee with less than two surviving children may be granted maternity leave for 135 days'. A female contract appointee shall also be entitled for maternity leave not exceeding 45 days' (irrespective of the number of surviving children) during the entire service, in case of miscarriage including abortion, on production of medical certificate issued by the authorized Government Medical Officer. A contract employee shall not be entitled for medical re-imbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee.

Un-availed casual leave, medical leave and special leave can be accumulated upto the calendar year and will not be carried forward for the next calendar year.

(d) Unauthorized absence from the duty without the approval of the Controlling Officer shall automatically lead to the termination of the contract. However, in exceptional cases where the circumstances for un-authorized absence from duty were beyond his/her control on medical grounds, such period shall not be excluded while considering his/her case for regularization but the incumbent shall have to intimate the controlling authority in this regard well in time. However, the contract appointee shall not be entitled for contractual amount for this period of absence from duty:

Provided that he/she shall submit the certificate of illness/fitness issued by the Medical Officer, as per prevailing instructions of the Government.

(e) An official, appointed on contract basis who has completed three years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.

(f) Selected candidate will have to submit a certificate of his/her fitness from a Government/Registered Medical Practitioner. Women candidate pregnant beyond twelve weeks will stand temporarily unfit till the confinement is over. The women candidate(s) shall be re-examined for fitness from an authorized Medical Officer/Practitioner.

(g) Contract appointee will be entitled to TA/DA if required to go on tour in connection with his/her official duties at the same rate as applicable to his/her regular counterpart at the minimum of pay scale.

(h) Provision of service rules like FR-SR, Leave Rules, GPF Rules, Pension Rules & Conduct Rules etc. as are applicable in case of regular employees will not be applicable in case of contract appointees. The employees Group Insurance Scheme as well as EPF/GPF will also not be applicable to contract appointee(s).

16. Reservation.—The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes/Scheduled Tribes/Other Backward Classes/ Other Categories of persons issued by the Himachal Pradesh Government from time to time.

17. Departmental examination.—Not applicable

18. Power to relax.—Where the state Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with

the Himachal Pradesh Public Service Commission relax any of the provision(s) of these Rules with respect to any class or category of person(s) or post(s).

**APPENDIX-I
FOR CLASS-III POST**

| | | |
|----|---|----------|
| 1. | WRITTEN TEST {Percentage of marks obtained in written examination to be calculated out of 85 marks. For example, a candidate getting 50% marks in written examination will be given 42.5 marks}. | 85 marks |
| 2. | <p>Evaluation of candidate to be made in the following manner:—</p> <p>(i) Weightage for the minimum educational qualification, prescribed in the Recruitment & Promotion Rules. =2.5 Marks</p> <p>{Percentage of marks obtained in the educational qualification would be multiplied by 0.025. For example, an individual has secured 50% marks in the required educational qualification, he/she will be allowed 1.25 marks (50x0.025=1.25)}</p> <p>(ii) Belonging to notified Backward Area or Panchayat, as the case may be. =01 Mark</p> <p>(iii) Land less family/family having land less than 1 Hectare to be certified by the concerned Revenue Authority. =01 Mark</p> <p>(iv) Non-employment Certificate to the effect that none of the family members in Government/Semi-Government service. =01 Mark</p> <p>(v) Differently abled persons with more than 40% impairment/disability/infirmity. =01 Mark</p> <p>(vi) NSS (atleast one year)/certificate holders in NCC/The Bharat Scout and Guide/ Medal winner in National Level sports competitions. =01 Mark</p> <p>(vii) BPL family having annual income (from all sources) below ₹40,000/- or as prescribed by the Govt. from time to time. =02 Marks</p> <p>(viii) Widow/divorced/destitute/single woman. =01 Mark</p> <p>(ix) Single daughter/Orphan =01 Mark</p> <p>(x) Training of atleast 6 months duration related to then post applied for from a recognized University/Institution. =01 Mark</p> | 15 marks |

| | | |
|--|---|--|
| | (xi) Experience upto a maximum of 5years in Govt./Semi-Govt. Organization relating to the post applied for (0.5 marks only for each completed year) =2.5 Marks | |
|--|---|--|

ANNEXURE-B

Form of contract/ agreement to be executed between the Tabla Master and the Government of Himachal Pradesh through Director, Information & Public Relations

This agreement is made on this -----day of -----in the year -----between Sh./Smt. S/o/D/o Sh.-----R/o/----- Contract appointee (hereinafter called the **FIRST PARTY**), and the **Governor** of Himachal Pradesh through Director, I&PR Himachal Pradesh (here-in-after called the **SECOND PARTY**).

Whereas, the **SECOND PARTY** has engaged the aforesaid **FIRST PARTY** and the **FIRST PARTY** has agreed to serve as a **Tabla Master** on contract basis on the following terms & conditions:

1. That the First Party shall remain in the service of the Second Party as a **Tabla Master** for a period of one year commencing on day of -----and ending on the day of----- . It is specifically mentioned and agreed upon by both the parties that the contract of the-- ----- **FIRST PARTY** with **SECOND PARTY** shall ipso-facto stand terminated on the last working day *i.e* on and information notice shall not be necessary :

Provided that for-further extension/renewal of contract period, the HOD shall issue a certificate that the service and conduct of the contract appointee was satisfactory during the year and only then the period of contract is to be renewed/extended.

2. The contractual amount of the **FIRST PARTY** will be Rs 7810/- per month.
3. The service of **FIRST PARTY** will be purely on temporary basis. The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found satisfactory.
4. The contract appointee will be entitled for one day's casual leave after putting one month's service, 10 days' medical leave and 5 days' special leave, in a calendar year. A female contract appointee with less than two surviving children may be granted maternity leave for 135 days'. A female contract appointee shall also be entitled for maternity leave not exceeding 45 days' (irrespective of the number of surviving children) during the entire service, in case of miscarriage including abortion, on production of medical certificate issued by the authorized Government Medical Officer. A contract employee shall not be entitled for medical re-imbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee. Un-availed casual leave, medical leave and special leave can be accumulated upto the calendar year and will not be carried forward for the next calendar year.
5. Unauthorized absence from the duty without the approval of the Controlling Officer shall automatically lead to the termination of the contract. However, in exceptional cases where the circumstances for un-authorized absence from duty were beyond

his/her control on medical ground, such period shall not be excluded while considering his/her case for regularization but the incumbent shall have to intimate the controlling authority in this regard well in time. However, the contract appointee shall not be entitled for contractual amount for this period of absence from duty :

Provided that he/she shall submit the certificate of illness/fitness issued by the Medical Officer, as per prevailing instructions of the Government.

6. An official appointed on contract basis who has completed three years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.
7. Selected candidate will have to submit a certificate of his/her fitness from a Government/Registered Medical Practitioner. In case of women candidates pregnant beyond twelve weeks will render her temporarily unfit till the confinement is over. The women candidates should be re-examined for fitness from an authorized Medical Officer/ Practitioner.
8. Contract appointee shall be entitled to **TA/DA** if required to go on tour in connection with his/her official duties at the same rate as applicable to his/her regular counter-part at the minimum of pay scale.
9. The employees Group Insurance Scheme as well as **EPF/GPF** will not be applicable to contractual appointee(s).

IN WITNESS the **FIRST PARTY AND SECOND PARTY** have herein to set their hands the day, month and year first above written.

IN THE PRESENCE OF WITNESS

(Name and full address)

1. _____

(Name and full address)

SIGNATURE OF THE FIRST PARTY

(Name and full address)

2. _____

IN The PRESENCE OF WITNESS

(Name and full address)

1. _____

(Name and full address)

2. _____

SIGNATURE OF THE SECOND PARTY

LABOUR & EMPLOYMENT DEPARTMENT**NOTIFICATION***Shimla-171001, the 31st March, 2017*

No. 11-2/86(Lab)ID/2017-Bilaspur.—It appears to the undersigned that an industrial dispute exists between Shri Rattan Lal S/O Shri Maru Ram, R/O Village Delag, Tehsil Sadar, District Bilaspur, H.P. and (1) The Executive Engineer, I &P.H. Division, Bilaspur, District Bilaspur, H.P. (2) M/S SMC SBM Universal (JV), Near Bhud Store, Kandrou, Tehsil Sadar, District Bilaspur, H.P. on the issue of termination from services during w.e.f. 13.12.2013.

As per the report under Section 12(4) of The Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub Section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No. Shram(A)4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal, Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/issues for legal adjudication;

“Whether demand raised vide demand notice dated-nil-received on 21.07.2015 by Shri Rattan Lal S/O Shri Maru Ram, R/O Village Delag, Tehsil Sadar, District Bilaspur, H.P. regarding reinstatement in service after submission of resignation dated 12.12.2013 before (1) The Executive Engineer, I &P.H. Division, Bilaspur, District Bilaspur, H.P. (2) M/s SMC SBM Universal (JV), Near Bhud Store, Kandrou, Tehsil Sadar, District Bilaspur, H.P. w.e.f. 13.12.2013, is legal & justified? If yes, what relief of past service benefits, seniority, monetary and other consequential service benefits the above mentioned worker is entitled as per demand notice? If not, what its legal effects?”

By order,
Sd/-

Deputy Labour Commissioner, Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT**NOTIFICATION***Shimla-171001, the 23rd March, 2017*

No. 11-1/85(Lab)ID/2017-Kangra.—It appears to the undersigned that an industrial dispute exists between Shri Shamsher Singh S/O Shri Pushpal Singh Parmar, R/O Village Harluthan, P.O. Silh, Tehsil Dehra, District Kangra, H.P. and (1) The Vice Chancellor, Chaudhery Sarwan Kumar Himachal Pradesh Krishi Vishav Vidyalya (CSKHPKV), Palampur, District Kangra, H.P. (2) The Registrar, Chaudhery Sarwan Kumar Himachal Pradesh Krishi Vishav Vidyalya (CSKHPKV), Palampur, District Kangra, H.P. on the issue of regularization of services after completion of continuous services of 8 years.

As per the report under Section 12(4) of The Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under Sub Section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No. Shram(A)4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/issues for legal adjudication:—

“Whether the action of the employer i.e. (1) The Vice Chancellor, Chaudhery Sarwan Kumar Himachal Pradesh Krishi Vishav Vidyalya (CSKHPKV), Palampur, District Kangra, H.P. (2) Registrar, Chaudhery Sarwan Kumar Himachal Pradesh Krishi Vishav Vidyalya (CSKHPKV), Palampur, District Kangra, H.P. not to regularize the services of Shri Shamsher Singh S/O Shri Pushpal Singh Parmar, R/O Village Harluthan, P.O. Silh, Tehsil Dehra, District Kangra, H.P. w.e.f. 01.01.2009 on the post of Field Assistant after completion of continuous service of 8 years, as per policy of the Himachal Pradesh Government, as alleged by the workman, is legal & justified? If not, what relief of regularization of services, seniority and past service benefits above aggrieved workman is entitled as per demand notice dated 21.04.2014 from the above employer?”

By order,
Sd/-

Joint Labour Commissioner, Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171001, the 23rd March, 2017

No. 11-1/85(Lab)ID/2017-Kangra.—It appears to the undersigned that an industrial dispute exists between Shri Shashi Kumar S/O Shri Desh Raj, R/O Village Amtrar, P.O. Sunehar, Tehsil and District Kangra, H.P. and (1) The Vice Chancellor, Chaudhery Sarwan Kumar Himachal Pradesh Krishi Vishav Vidyalya (CSKHPKV), Palampur, District Kangra, H.P. (2) The Registrar, Chaudhery Sarwan Kumar Himachal Pradesh Krishi Vishav Vidyalya (CSKHPKV), Palampur, District Kangra, H.P. on the issue of regularization of services after completion of continuous services of 8 years.

As per the report under Section 12(4) of The Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under Sub Section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No. Shram(A)4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947)

this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/issues for legal adjudication:—

“Whether the action of the employer i.e. (1) The Vice Chancellor, Chaudhery Sarwan Kumar Himachal Pradesh Krishi Vishav Vidyalya (CSKHPKV), Palampur, District Kangra, H.P. (2) Registrar, Chaudhery Sarwan Kumar Himachal Pradesh Krishi Vishav Vidyalya (CSKHPKV), Palampur, District Kangra, H.P. not to regularize the services of Shri Shashi Kumar S/O Shri Desh Raj, R/O Village Amtrar, P.O. Sunehar, Tehsil and District Kangra, H.P. w.e.f. 01.01.2010 on the post of Lab Field Assistant after completion of continuous service of 8 years, as per policy of the Himachal Pradesh Government, as alleged by the workman, is legal & justified? If not, what relief of regularization of services, seniority and past service benefits above aggrieved workman is entitled as per demand notice dated 21.04.2014 from the above employer?”

By order,
Sd/-

Joint Labour Commissioner, Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171001, the April, 2017

No. 11-23/84(Lab)ID/2017-Una.—It appears to the undersigned that an industrial dispute exists between Smt. Sita Devi W/O Shri Avtar Singh, R/o. C/O Comrade Jagat Ram, Village and Post Office Dehlan, Tehsil and District Una, H.P. and the General Manager, M/s Rangar Breweries Limited, 1 & 130 Industrial Area, Mehatpur, District Una, H.P. on the issue of termination from services w.e.f. 28.01.2014.

As per the report under Section 12(4) of The Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub Section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No. Shram(A)4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal, Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/issues for legal adjudication;

“Whether the termination of services of Smt. Sita Devi W/O Shri Avtar Singh, R/o. C/O Comrade Jagat Ram, Village and Post Office Dehlan, Tehsil and District Una, H.P. by the General Manager, M/s Rangar Breweries Limited, 1 & 130 Industrial Area, Mehatpur, District Una, H.P. w.e.f. 28.01.2014 without complying with the provisions of the Industrial Disputes Act, 1947, is legal & justified? If not, to what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employer / management?”

By order,
Sd/-

Deputy Labour Commissioner, Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT**NOTIFICATION***Shimla-171001, the 28th March, 2017*

No. 11-2/86(Lab)ID/2017-Bilaspur.—It appears to the undersigned that an industrial dispute exists between Shri Sunil Kumar S/O Shri Amar Nath, R/O Village Beri, Tehsil Sadar, District Bilaspur, H.P. and (1) The Executive Engineer, I &P.H. Division, Bilaspur, District Bilaspur, H.P. (2) M/S SMC SBM Universal (JV), Near Bhud Store, Kandrou, Tehsil Sadar, District Bilaspur, H.P. on the issue of termination from services during w.e.f. 13.12.2013.

As per the report under Section 12(4) of The Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub Section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No. Shram(A)4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal, Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/issues for legal adjudication;

“ Whether demand raised vide demand notice dated-nil-received on 21.07.2015 by Shri Sunil Kumar S/O Shri Amar Nath, R/O Village Beri, Tehsil Sadar, District Bilaspur, H.P. regarding reinstatement in service after submission of resignation dated 12.12.2013 before (1) The Executive Engineer, I &P.H. Division, Bilaspur, District Bilaspur, H.P. (2) M/s SMC SBM Universal (JV), Near Bhud Store, Kandrou, Tehsil Sadar, District Bilaspur, H.P. w.e.f. 13.12.2013, is legal & justified? If yes, what relief of past service benefits, seniority, monetary and other consequential service benefits the above mentioned worker is entitled as per demand notice? If not, what its legal effects?”

By order,
Sd/-

Joint Labour Commissioner, Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT**NOTIFICATION***Shimla-171001, the March, 2017*

No. 11-2/93(Lab)ID/2017-Baddi.—It appears to the undersigned that an industrial dispute exists between Shri Yashwant Singh S/O Shri Hukam Chand, and 70 (seventy other) workers R/O Village Samol, P.O. Balag, Tehsil Sunder Nagar, District Mandi, H.P. versus (1) The Managing Director, Mondelez India Foods Private Limited, Unit-I (Formerly Cadbury India Limited Unit-I), Registered Office Unit-2001, 20th Floor, Tower 3, (wing-C), Indiabulls Finance Centre Parel, Mumbai-400013, India (2) The Factory Manager, Mondelez India Foods Private Limited, (Formerly Cadbury India Limited), Hadbast No.-199, Village Sandoli, Post Office & Tehsil Baddi, District Solan, H.P.

As per the report under Section 12(4) of The Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under Sub Section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No. Shram(A)4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Shimla, constituted under Section-7 of Act *ibid*, on the following issue/issues for legal adjudication:—

“Whether the demands raised by Shri Yashwant Singh S/O Shri Hukam Chand, and 70 (seventy other) workers (list enclosed) R/O Village Samol, P.O. Balag, Tehsil Sunder Nagar, District Mandi, H.P. before (1) The Managing Director, Mondelez India Foods Private Limited, Unit-I (Formerly Cadbury India Limited Unit-I), Registered Office Unit-2001, 20th Floor, Tower 3, (wing-C), Indiabulls Finance Centre Parel, Mumbai-400013, India (ii) The Factory Manager, Mondelez India Foods Private Limited, (Formerly Cadbury India Limited), Hadbast No.-199, Village Sandoli, Post Office & Tehsil Baddi, District Solan, H.P. vide demand notice 04.10.2016 (Copy enclosed) regarding verbal termination of services, without complying with the provisions of the Industrial Disputes Act, 1947, whereas persons junior have been engaged/retained, without following the principal of ‘Last Come First Go’, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above aggrieved workman Shri Yashwant Singh S/O Shri Hukam Chand, and 70 (seventy other) workers (list enclosed) are entitled to from the above employers, as per demand notice 04.10.2016?”

By order,
Sd/-

Joint Labour Commissioner, Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171001, the 27th February, 2017

No.: 11-6/85(Lab) ID/2017/Shimla.—It appears to the undersigned that an industrial dispute about the following issue exist between Sh. Jagdish Sharma S/O Sh. Sita Ram, R.O Village- Tranh, Tehsil Chopal, Distt. Shimla, H.P. and i) The Director, Himurja, Kasumpti Shimla 9 ii) The Project Officer, Himurja, Kasumpti Shimla-9.

Whereas, the Labour Officer-cum-Conciliation Officer, has incorporated in the report that during the course of conciliation proceedings for the purpose of bringing about a legal and amicable settlement, all matters affecting the settlement were investigated and has made all efforts for the purpose of inducing the parties to come to legal, fair and amicable settlement of the said dispute. However, no such settlement could be arrived at in between the parties to the industrial dispute.

Whereas, undersigned while exercising the power vested as provided under sub section 5 of Section 12 of the Act *ibid* carefully examined the report and come to the conclusion that there exist

an industrial dispute between the above parties which requires legal adjudication. Therefore, in view of the above facts and circumstances, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No.: Shram(A) 7-9/201, dated- 17.01.2017 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947), formed an opinion to refer this dispute to the Labour Court/Industrial Tribunal Shimla, constituted under Section-7 of Act *ibid*, for legal adjudication on the following issue/issues:—

“Whether alleged termination of services of Sh. Jagdish Sharma S/O Sh. Sita Ram, R.O Village- Tranh, Tehsil Chopal, Distt. Shimla, (H.P.) w.e.f. 22.7.2010 on account of alleged employment as watchman on the pretext that his land has been taken on rent by 2nd party is legal and justified? If not, what relief including reinstatement, amount of back wages, seniority, past service benefits and compensation the above applicant is entitled to from the above employer?”

By order,
Sd/-

Additional Labour Commissioner, Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171001, the 27th February, 2017

No.: 11-6/85(Lab) ID/2017/Shimla.—It appears to the undersigned that an industrial dispute about the following issue exist between Sh. Jitender Kumar S/O Sh. Jogeshwar Dutt, R/O Ridge Wood Palace, Near Micro Wave Station, Ghora Kothi, Jakhu, Shimla-2 and i) The Chief Engineer Commercial, HPSEB Ltd. Shimla-4, Kumar House, Shimla-171004. ii) Sh. Vijay Sharma, M/s SGI Enterprises, Kumar Bhawan Shanti Vihar (below Cemetery) Road, Sanjauli, Shimla 171006.

Whereas, the Labour Officer-cum-Conciliation Officer, has incorporated in the report that during the course of conciliation proceedings for the purpose of bringing about a legal and amicable settlement, all matters affecting the settlement were investigated and has made all efforts for the purpose of inducing the parties to come to legal, fair and amicable settlement of the said dispute. However, no such settlement could be arrived at in between the parties to the industrial dispute.

Whereas, undersigned while exercising the power vested as provided under sub section 5 of Section 12 of the Act *ibid* carefully examined the report and come to the conclusion that there exist an industrial dispute between the above parties which requires legal adjudication.

Therefore, in view of the above facts and circumstances, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No.: Shram(A) 7-9/201, dated- 17.01.2017 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947), formed an opinion to refer this dispute to the Labour Court/Industrial Tribunal Shimla, constituted under Section-7 of Act *ibid*, for legal adjudication on the following issue/issues:—

“Whether termination of services of Sh. Jitender Kumar S/O Sh. Jogeshwar Dutt, R/O Ridge Wood Palace, Near Micro Wave Station, Ghora Kothi, Jakhu, Shimla-2 w.e.f.

07.8.2015 by the Employer/ Chief Engineer Commercial, HPSEB Ltd. Shimla-4, Kumar House, Shimla-171004, employed on outsource basis through Sh. Vijay Sharma, M/s SGI Enterprises, Kumar Bhawan Shanti Vihar (below Cemetery) Road, Sanjauli, Shimla-171006 without complying with the provisions of the Industrial Disputes Act, 1947 is legal and justified? If not, what relief including reinstatement, amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employer?"

By order,
Sd/-

Additional Labour Commissioner, Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171001, the 22nd February, 2017

No.: 11-6/85(Lab) ID/2017/Shimla.—It appears to the undersigned that an industrial dispute about the following issue exist between i) The President & General Secretary, Van Vibhag Karamchari Sangh Chopal Van Mandal, Distt. Shimla, H.P. ii) Sh. Mast Ram S/O Sh. Kali Ram, R/O Village- Jhoker, Tehsil Kupvi, Distt. Shimla, H.P.

And The Divisional Forest Officer, Chopal, Distt. Shimla, H.P. Whereas, the Labour Officer-cum-Conciliation Officer, has incorporated in the report that during the course of conciliation proceedings for the purpose of bringing about a legal and amicable settlement, all matters affecting the settlement were investigated and has made all efforts for the purpose of inducing the parties to come to legal, fair and amicable settlement of the said dispute. However, no such settlement could be arrived at in between the parties to the industrial dispute.

Whereas, undersigned while exercising the power vested as provided under sub section 5 of Section 12 of the Act ibid carefully examined the report and come to the conclusion that there exist an industrial dispute between the above parties which requires legal adjudication.

Therefore, in view of the above facts and circumstances, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No.: Shram(A) 7-9/201, dated- 17.01.2017 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947), formed an opinion to refer this dispute to the Labour Court/Industrial Tribunal Shimla, constituted under Section-7 of Act ibid, for legal adjudication on the following issue/issues:—

“Whether demand of President & General Secretary, Van Vibhag Karamchari Sangh Chopal Van Mandal, Distt. Shimla, H.P. vide demand notice/ letter dated-14.1.2015 & 21.4.2015 (**Copies-Enclosed**) raised before and to be full filled by the Divisional Forest Officer, Chopal, Distt. Shimla, H.P. to consider / accord seniority to Sh. Sh. Mast Ram S/O Sh. Kali Ram (posted at Forest Rest House Manalag), R/O Village- Jhoker, Tehsil Kupvi, Distt. Shimla, (H.P.) w.e.f. November 1993 instead of the year, 1998, is legal and justified? If yes, what relief of service benefits the aggrieved workman is entitled to from the above employer?”

By order,
Sd/-

Additional Labour Commissioner, Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT**NOTIFICATION***Shimla-171001, the 21st February, 2017*

No.: 11-2/93(Lab) ID/2017/Baddi.—It appears to the undersigned that an industrial dispute about the following issue exist between the President & General Secretary, M/S Landis + Gyr. Ltd. Workers Union, C/O Sh. Vishal Singh, M/S Landis + Gyr. Ltd. Village & Post Office Thana, Tehsil Nalagarh, Distt. Solan, H.P. Vs. The Factory Manager, M/S Landis + Gyr. Ltd., Village & Post Office Thana, Tehsil Nalagarh, Distt. Solan, H.P.

Whereas, the Labour Officer-cum-Conciliation Officer, has incorporated in the report that during the course of conciliation proceedings for the purpose of bringing about a legal and amicable settlement, all matters affecting the settlement were investigated and has made all efforts for the purpose of inducing the parties to come to legal, fair and amicable settlement of the said dispute. However, no such settlement could be arrived at in between the parties to the industrial dispute. Whereas, undersigned while exercising the power vested as provided under sub section 5 of Section 12 of the Act *ibid* carefully examined the report and come to the conclusion that there exist an industrial dispute between the above parties which requires legal adjudication.

Therefore, in view of the above facts and circumstances, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No.: Shram(A) 7-9/201, dated- 17.01.2017 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947), formed an opinion to refer this dispute to the Labour Court/Industrial Tribunal Shimla, constituted under Section-7 of Act *ibid*, for legal adjudication on the following issue/issues:—

“ Whether demands raised by the President & General Secretary, M/S Landis + Gyr. Ltd. Workers Union, C/O Sh. Vishal Singh, M/S Landis + Gyr. Ltd. Village & Post Office Thana, Tehsil Nalagarh, Distt. Solan, H.P. vide demand-notice dated-nil (received on 27.1.2016, Copy-Enclosed) for its fulfilling before the Employer/ Plant Head, M/S Landis + Gyr. Ltd. Village & Post Office Thana, Tehsil Nalagarh, Distt. Solan, H.P., are legal and justified? If yes, what relief, other monetary and other service benefits the concerned aggrieved workmen are entitled to from the above employer?

By order,
Sd/-

Additional Labour Commissioner, Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT**NOTIFICATION***Shimla-171001 20th February, 2017*

No.: 11-6/85(Lab) ID/2017/Shimla/STP.—It appears to the undersigned that an industrial dispute about the following issue exist between The President (Sh. Radhey Shyam) & General Secretary (Sh. Mohan Singh) , STP Contract Workers Union Shimla, 9 Bawa Building, The Mall Shimla-3 and i) The Engineer-in-Chief, I & PH Department, U.S. Club, Shimla-I, ii) The Executive

Engineer, IPH Department, Division No.-II, Shimla-4 II) Sh. Akshay Dogar, Contractor, C/O Executive Engineer, IPH Department, Division No.-II, Shimla-4.

Whereas, the Labour Inspector-cum-Conciliation Officer, has incorporated in the report that during the course of conciliation proceedings for the purpose of bringing about a legal and amicable settlement, all matters affecting the settlement were investigated and has made all efforts for the purpose of inducing the parties to come to legal, fair and amicable settlement of the said dispute. However, no such settlement could be arrived at in between the parties to the industrial dispute.

Whereas, undersigned while exercising the power vested as provided under sub section 5 of Section 12 of the Act *ibid* carefully examined the report and come to the conclusion that there exist an industrial dispute between the above parties which requires legal adjudication.

Therefore, in view of the above facts and circumstances, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No.: Shram(A) 7-9/201, dated- 17.01.2017 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947), formed an opinion to refer this dispute to the Labour Court/Industrial Tribunal Shimla, constituted under Section-7 of Act *ibid*, for legal adjudication on the following issue/issues:—

“Whether demands raised by the President (Sh. Radhey Shyam) & General Secretary (Sh. Mohan Singh), STP Contract Workers Union Shimla, 9 Bawa Building, The Mall Shimla-3 vide demand notice dated- 01.2.2016 (**Copy-Enclosed**) for its fulfilling before the i) The Employer/ Engineer-in-Chief, I & PH Department, U.S. Club, Shimla-I & ii) Sh. Akshay Dogar, Contractor, C/O Executive Engineer, IPH Department, Division No.-II, Shimla-4, are legal and justified? If yes, what relief of service benefits the aggrieved workmen are entitled to from the above employers?

By order,
Sd/-

Additional Labour Commissioner, Himachal Pradesh.

[Authoritative English text of this Department Notification No. EXN-F(10)- 20/2016-Vol.I Loose dated 29/11/2017 as required under clause (3) of article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

CORRIGENDUM

Shimla-2, the 29th November, 2017

No.EXN-F(10)-20/2016-Vol.I-Loose.—In this Department Notification No.55/2017-State Tax published in Rajpatra, Himachal Pradesh on 15th November, 2017 vide number EXN-F(10)-20/2016-Vol.I dated 15th November, 2017 please read the words "Himachal Pradesh Goods and Services Tax (Twelfth Amendment) Rules, 2017" as "Himachal Pradesh Goods and Services Tax (Tenth Amendment) Rules, 2017"

By order,
Sd/-

Additional Chief Secretary (E&T).

[Authoritative English text of this Department Notification No. EXN-F(10)-41/2017 dated 29/11/2017 as required under clause (3) of article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION No. 51/2017 – State Tax

Shimla-171002, the 29th November, 2017

No.EXN-F(10)-41/2017.—In exercise of the powers conferred by section 164 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017), the Governor of Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Goods and Services Tax Rules, 2017, namely:—

(1) These rules may be called the Himachal Pradesh Goods and Services Tax (Thirteenth Amendment) Rules, 2017.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Himachal Pradesh Goods and Services Tax Rules, 2017, —

(i) in rule 24, in sub-rule (4), for the words, figures and letters “on or before 31st October, 2017”, the words, figures and letters “on or before 31st December, 2017” shall be substituted;

(ii) in rule 45, in sub-rule (3), after the words “succeeding the said quarter”, the words “or within such further period as may be extended by the Commissioner by a notification in this behalf:

Provided that any extension of the time limit notified by the Commissioner of Central tax shall be deemed to be notified by the Commissioner shall be inserted;

(iii) in rule 96, in sub-rule (2), the following provisos shall be inserted, namely:—

“Provided that where the date for furnishing the details of outward supplies in **FORM GSTR-1** for a tax period has been extended in exercise of the powers conferred under section 37 of the Act, the supplier shall furnish the information relating to exports as specified in Table 6A of **FORM GSTR-1** after the return in **FORM GSTR-3B** has been furnished and the same shall be transmitted electronically by the common portal to the system designated by the Customs:

Provided further that the information in Table 6A furnished under the first proviso shall be auto-drafted in **FORM GSTR-1** for the said tax period.”;

(iv) in rule 96A, in sub-rule (2), the following provisos shall be inserted, namely:—

“Provided that where the date for furnishing the details of outward supplies in **FORM GSTR-1** for a tax period has been extended in exercise of the powers conferred under section 37 of the Act, the supplier shall furnish the information relating to exports as specified in Table 6A of **FORM GSTR-1** after the return in **FORM GSTR-3B** has been furnished and the same shall be transmitted electronically by the common portal to the system designated by the Customs:

Provided further that the information in Table 6A furnished under the first proviso shall be auto-drafted in **FORM GSTR-1** for the said tax period.”

By order,
Sd/-
Addl. Chief Secretary (E&T).

In the Court of Sh. Arindam Chaudhary I.A.S, Marriage Officer-cum-Sub Divisional Magistrate, Hamirpur

In the matter of :

1. Kanishak Patial aged 28 years s/o Shri Jajit Singh, r/o Village Bumana, P.O. Tal, Tehsil & District Hamirpur (HP).

2. Smriti Chauhan aged 28 years d/o Shri Baldev Singh Chauhan, r/o House No. 188, JE Shashtri Colony Ghumarwin, District Bilaspur (HP) . . *Applicants.*

Versus

General Public

Respondent

Subject.—Notice of the Intended Marriage.

Kanishak Patial and Smriti Chauhan have filed an application u/s 16 of Special Marriage Act, 1954 alongwith affidavits in the court of undersigned in which they stated that they have solemnize their marriage on 11-08-2014.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage can file the objection personally or in writing before this court on or before 15-12-2017. The objection received after 15-12-2017 will not be entertained and marriage will be registered accordingly.

Issued today on 14-11-2017 under my hand and seal of the court.

Seal.

Sd/-
*Marriage Officer-cum-Sub Divisional Magistrate,
Hamirpur, District Hamirpur.*

In the Court of Sh. Arindam Chaudhary I.A.S, Marriage Officer-cum-Sub Divisional Magistrate, Hamirpur H. P.

In the matter of :

Emran Khan aged 23 years s/o Shri Sameer Khan, r/o Village Khala, P.O., Tehsil & District Hamirpur (HP)

AND

Monika Kumari aged 21 years d/o Shri Rajender Kumar, r/o Village Jangli, P.O. Maharal, Tehsil Barsar, District Hamirpur . . . Applicants.

Versus

General Public

Subject.—Notice under Special Marriage Act, 1954.

Emran Khan and Monika Kumari have filed an application u/s 16 of Special Marriage Act, 1954 alongwith affidavit and other supported documents in the court of undersigned in which they stated that they solemnized marriage on 23-09-2017.

Therefore, the general public is hereby informed through this notice that any person who has any objection for this marriage can file the objection personally or in writing before this court on or before 16-12-2017. The objection received after 16-12-2017 will not be entertained and marriage will be registered accordingly.

Issued today on 14-11-2017 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub Divisional Magistrate,
Hamirpur, District Hamirpur (H.P.).*

In the Court of Sh. Arindam Chaudhary I.A.S, Marriage Officer-cum-Sub Divisional Magistrate, Hamirpur (H. P.)

In the matter of :

Sunny Kumar aged 26 years s/o Shri Onkar Chand, r/o Village Liunger, P.O. Patnaun, Tehsil Bamsan, District Hamirpur (HP)

AND

Sunita Rana aged 24 years d/o Shri Ram Chander, r/o RZ-99, Indra Park, near Pali Factory, Uttam Nagar, West Delhi . . . Applicants.

Versus

General Public

Subject:—Notice of the Intended Marriage.

Sunny Kumar and Sunita Rana have filed an application under Special Marriage Act, 1954. alongwith affidavit and other documents in the court of undersigned in which they stated that they intend to solemnize marriage within three calendar months.

Therefore, the general public is hereby informed through this notice that any person who has any objection for this marriage can file the objection personally or in writing before this court on or before 30-12-2017. The objection received after 30-12-2017 will not be entertained and marriage will be registered accordingly.

Issued today on 14-11-2017 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub Divisional Magistrate,
Hamirpur, District Hamirpur (H.P.)*

**In the Court of Sh. Arindam Chaudhary I.A.S, Marriage Officer-cum-Sub Divisional
Magistrate, Hamirpur (H.P.)**

In the matter of :

Bhola Ram aged 39 years s/o Shri Jagdish Chand, r/o Village Dulehra, P.O., Tehsil &
District Hamirpur (HP)

AND

Bhawvna Devi aged 31 years d/o Shri Ganesh Dutt, r/o Village Kotlu, P.O. Galma, Tehsil &
District Mandi (H.P.) . . . *Applicants.*

Versus

General Public

Subject:—Notice of the Intended Marriage.

Bhola Ram and Bhawvna Devi have filed an application under Special Marriage Act, 1954.
alongwith affidavit and other documents in the court of undersigned in which they stated that they
intend to solemnize marriage within three calendar months.

Therefore, the general public is hereby informed through this notice that any person who
has any objection for this marriage can file the objection personally or in writing before this court
on or before 16-12-2017. The objection received after 16-12-2017 will not be entertained and
marriage will be registered accordingly.

Issued today on 14-11-2017 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub Divisional Magistrate,
Hamirpur, District Hamirpur, H.P.*

**In the Court of Sh. Arindam Chaudhary I.A.S, Marriage Officer-cum-Sub Divisional
Magistrate, Hamirpur, H.P.**

In the matter of :

Vatan Kumar aged 28 years s/o Shri Rikhi Ram, r/o Village Gajoh, P.O. Ropa, Tehsil &
District Hamirpur.

AND

Sahana Khatun aged 24 years d/o Shri Sarafat Moll, r/o Village Faridpur, P.O. Rampara, P.S. Rajinagar, Tehsil & District Murshidabad, W.B. *Applicants*

Versus

General Public

Subject:—Notice under Special Marriage Act, 1954.

Vatan Kumar and Sahana Khatun have filed an application under Special Marriage Act, 1954. alongwith affidavit and other documents in the court of undersigned in which they stated that they have solemnize marriage on 22-05-2017.

Therefore, the general public is hereby informed through this notice that any person who has any objection for this marriage can file the objection personally or in writing before this court on or before 16-12-2017. The objection received after 16-12-2017 will not be entertained and marriage will be registered accordingly.

Issued today on 14-11-2017 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub Divisional Magistrate,
Hamirpur, District Hamirpur, H.P.*

In the Court of Sh. Arindam Chaudhary I.A.S, Sub Divisional Magistrate, Hamirpur, H.P.

In the matter of :

Sh. Roop Lal Bhardwaj s/o Shri Sarb Dayal, Village Bhambloh, P.O. Uhal, Tehsil & District Hamirpur, H.P. *Applicant.*

Versus

General Public

Subject:—Correction of name, father name and date of birth entered in Pan Card.

Sh. Roop Lal Bhardwaj s/o Sh. Sarb Dayal, Village Bhambloh, P.O. Uhal, Tehsil & Distt. Hamirpur, H.P. have filed an application in the court of undersigned in which they stated that he is in possession of PAN Card in which applicant name, father name date of birth is wrongly been entered inadvertently. The applicant intend to apply for the necessary correction as per the Adhar Card, Voter Card and necessary correction need to be printed in the H.P. Gazette as per the instruction of the UTITSL Income Tax Authorities.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this correction can file the objection personally or in writing before this court on or before 15-12-2017. The objection received after 15-12-2017 will not be entertained and order will be announced accordingly for correction of applicant particulars.

Issued today on 14-11-2017 under my hand and seal of the court.

Seal.

Sd/-

*Sub Divisional Magistrate,
Hamirpur, District Hamirpur, H.P.*

In the Court of Sh. Vijay Kumar Dhiman, H.A.S. Marriage Officer-cum-Sub Divisional Magistrate, Sujanpur, Distt. Hamirpur, H.P. 176110

In the matter of :

1. Vipin Kumar aged 28 years s/o Kamal Devi, r/o Village & P.O. Chabutra, Tehsil Sujanpur, District Hamirpur, H.P.

2. Rajni aged 19 years d/o Shri Bhadar Singh, r/o Village Pimal, P.O. Trilokinath, Tehsil Udaipur, District Lahul & Spiti, H.P. *Applicant.*

Versus

General Public

Subject:—Notice of the Intended Marriage.

Vipin Kumar aged 28 years s/o Kamal Devi, r/o Village & P.O. Chabutra, Tehsil Sujanpur, District Hamirpur, H.P. and Rajni aged 19 years d/o Shri Bhadar Singh, r/o Village Pimal, P.O. Trilokinath, Tehsil Udaipur, District Lahul & Spiti, H.P. have filed an application in the court of undersigned under section 5 of Special Marriage Act, 1954 in which they stated that they intend to solemnize their marriage within three months of calendar.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage can file the objection personally or in writing before this court on or before 29-12-2017. The objection received after 29-12-2017 will not be entertained and marriage will be registered accordingly.

Issued today on 28-09-2017 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub Divisional Magistrate,
Sujanpur, District Hamirpur, H.P.*

**In the Court of Shri Bhupender Kumar Attri, Sub-Divisional Magistrate, Shimla (R),
District Shimla (H. P.)**

Smt. Lata Devi w/o Lt. Sh. Sewa Nand, r/o Village Benthall, P.O. Nehra, Tehsil & District Shimla, Himachal Pradesh

Versus

General Public

Respondent.

Whereas Smt. Lata Devi w/o Lt. Sh. Sewa Nand, r/o Village Benthall, P.O. Nehra, Tehsil & District Shimla, Himachal Pradesh has filed an application along with affidavit in the court of undersigned under Section 13(3) of the Birth & Death Registration Act, 1969 to enter the date of birth of her son named Mr. Sonu Bansal s/o Smt. Lata devi w/o Lt. Sh. Sewa Nand, r/o Village Benthall, P.O. Nehra, Tehsil & District Shimla, Himachal Pradesh in the record of Secy., Birth and Death, Gram Panchayat Baldeyan, Shimla.

| Sl. No. | Name of the family member | Relation | Date of birth |
|---------|---------------------------|----------|---------------|
| 1. | Mr. Sonu Bansal | Son | 27-06-2005 |

Hence, this proclamation is issued to the general public if they have any objection/claim regarding entry of the name & date of birth of above named in the record of Gram Panchayat Nehra, Shimla may file their claims/objections on or before one month of publication of this notice in Govt. Gazette in this court, failing which necessary orders will be passed.

Issued today 18-09-2017 under my signature and seal of the Court.

Seal.

Sd/-

Sub-Divisional Magistrate,
Shimla (R), District Shimla(H.P.)

ब अदालत कार्यकारी दण्डाधिकारी, पांवटा साहिब, जिला सिरमौर, हिमाचल प्रदेश

श्री शमशाद अली पुत्र श्री मुन्शी खान, निवासी माजरा, तहसील पांवटा साहिब, जिला सिरमौर वादी ।

बनाम

आम जनता

प्रतिवादी ।

उनवान मुकद्दमा : प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री शमशाद अली सपुत्र श्री मुन्शी खान, निवासी माजरा, तहसील पांवटा साहिब, जिला सिरमौर ने एक प्रार्थना-पत्र प्रस्तुत करके निवेदन किया है कि आवेदक किन्हीं कारणों से अपने पुत्र शारुख खान की जन्म तिथि 25-03-1999 का इन्द्राज निर्धारित अवधि के अन्दर सम्बन्धित ग्राम पंचायत/नगर पालिका परिषद में दर्ज नहीं करवा पाया है। इस बारे आवेदक द्वारा एक ब्यान हल्फी भी पेश किया गया है तथा इस सम्बन्ध में दो गवाहों के शपथ-पत्र भी आवेदक ने अपने प्रार्थना-पत्र के साथ संलग्न किये हैं। आवेदक ने ग्राम पंचायत/नगर परिषद माजरा में अपने ऊपर वर्णित पुत्र की जन्म तिथि 25-03-1999 को दर्ज करने का अनुरोध किया है।

अतः इस इश्तहार द्वारा आम जनता को सूचित किया जाता है कि यदि किसी भी व्यक्ति को श्री शारुख खान की जन्म तिथि ग्राम पंचायत/नगर परिषद माजरा, तहसील पांवटा साहिब में दर्ज करने बारे कोई एतराज हो तो वह मिति 24-12-2017 को या इससे पूर्व हमारे न्यायालय में हाजिर होकर लिखित अथवा मौखिक एतराज पेश कर सकता है। उक्त निश्चित तिथि के बाद कोई भी एतराज मान्य नहीं होगा और समझा जायेगा कि उक्त श्री शारुख खान की जन्म तिथि को सम्बन्धित ग्राम पंचायत/नगर परिषद में दर्ज करने बारे किसी को कोई एतराज नहीं है तथा नियमानुसार जन्म तिथि पंजीकरण के आदेश जारी कर दिये जायेंगे।

आज दिनांक 25-11-2017 को हमारे हस्ताक्षर व मोहर से जारी हुआ।

मोहर।

हस्ताक्षरित/—

कार्यकारी दण्डाधिकारी,
पांवटा साहिब, जिला सिरमौर (हि0 प्र0)।

**In the Court Shri Mukesh Sharma, Executive (Tehsildar), Magistrate
Baddi, District Solan, H. P.**

Case No. : 23/ 2017

Date of Institution : 13-10-2017

Date of Decision/
Fixed for : 17-12-2017

Smt. Soniya Devi w/o Late Shri Jagdish Chand, r/o Village Nikkuwal, Tehsil Baddi, District Solan, H. P.

Versus

General Public Through Gram Panchayat Manpura, Tehsil Baddi, Distt. Solan, H.P.

Application U/S 13(3) of H.P. Birth and Death Registration Act, 1969.

Smt. Soniya Devi w/o Late Sh. Jagdish Chand, r/o Village Nikkuwal, Tehsil Baddi, Distt. Solan, H.P. has filed an application under section 13(3) of the Death & Birth Registration Act, 1969 stating therein that his father in law namely Late Sh. Prem Chand was died on 28-08-1995 at Village Manpura, Tehsil Baddi, District Solan, but his death could not be registered in the records of Gram Panchayat Manpura, Tehsil Baddi with in stipulated period. He prayed for passing necessary orders to the Secretary, Gram Panchayat Manpura, Tehsil Baddi, Distt. Solan for entering the same.

Therefore, by this proclamation the general Public is hereby informed that any person having any objection regarding registering the Death of Late Sh. Prem Chand s/o Sh. Gangu Ram, r/o Village Manpura, Tehsil Baddi, Distt. Solan, H.P. may file their objection in this court on or before 17-12-2017, failing which no objection shall be entertained.

Given under my hand and seal on this 13th day of November, 2017.

Seal.

Sd/-
*Executive Magistrate (Tehsildar),
Baddi, District Solan, H. P.*

**In the court of Hira Lal Thakur, Assistant Collector IInd Grade, Darlaghat,
District Solan H.P.**

मिसल नं० 03/13-B of 2017

मुकद्दमा बनाम : श्री सत्या प्रकाश पुत्र श्री देवी राम, निवासी गांव नवगांव, उप-तहसील दाड़लाघट, जिला सोलन (हि० प्र०)

बनाम

आम जनता

प्रार्थना-पत्र नाम दुरुस्ती

इश्तहार बनाम आम जनता।

प्रार्थी श्री सत्या प्रकाश पुत्र श्री देवी राम, निवासी गांव नवगांव, उप-तहसील दाड़लाघाट ने इस न्यायालय में प्रार्थना-पत्र दिया है कि उसका नाम राजस्व रिकार्ड पटवार वृत्त धुन्दन में श्री ओम प्रकाश पुत्र श्री देवी राम चला आ रहा है जो कि गलत है। वास्तव में प्रार्थी का नाम श्री सत्या प्रकाश पुत्र श्री देवी राम है। प्रार्थी ने प्रमाण में परिवार रजिस्टर की ब्यान हल्फी, जमाबन्दी की, आधार कार्ड की व पहचान-पत्र की प्रतियां भी प्रस्तुत की है। इस नाम की दुरुस्ती बारे हर आम व खास को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस नाम की दुरुस्ती में किसी को उजर या एतराज हो तो वे इस न्यायालय में दिनांक 11-12-2017 को प्रातः 10.00 बजे असातन या वकालतन हाजिर आकर अपना एतराज या असहमति प्रकट कर सकते हैं। उक्त तिथि के पश्चात कोई भी उजर या एतराज काबले समायत नहीं होगा तथा नाम दुरुस्ती के आदेश पारित कर दिए जाएंगे।

आज दिनांक 01-11-2017 को हमारे हस्ताक्षर तथा मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय वर्ग,
दाड़लाघाट, तहसील अर्की, जिला सोलन (हि0 प्र0)।